

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA,  
WESTERN DIVISION

ART TOBIAS, )  
                  )  
Plaintiff,     )  
                  )     Case No. 17 C 1076  
v.              )  
                  )     Judge Dale S. Fischer  
CITY OF LOS ANGELES; SGT.     )  
SANCHEZ, #25399; DETECTIVE     )     JURY TRIAL DEMANDED  
MICHAEL ARTEAGA, #32722;     )  
DETECTIVE JEFF CORTINA, #35632; )  
DETECTIVE J. MOTTO, #25429;     )  
DETECTIVE JULIAN PERE, #27434; )  
OFFICER MARSHALL COOLEY, #38940; )  
OFFICER BORN, #38351; L.A. SCHOOL )  
POLICE OFFICER DANIEL EAST, #959; )  
and UNIDENTIFIED EMPLOYEES of the )  
CITY OF LOS ANGELES,         )

Defendants.

# Exhibit 1

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
3

4 ART TOBIAS, )  
5 Plaintiff, )  
6 v. ) CASE NUMBER:  
7 CITY OF LOS ANGELES, et al. ) 2:17-cv-1076-  
8 Defendants. ) DSF-AS  
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14 DEPOSITION OF DETECTIVE MOSES CASTILLO

15 Tuesday, June 5, 2018

16 Los Angeles, California

17 2:04 p.m. to 4:01 p.m.

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23  
24 REPORTED BY:  
25 KIM FARBER  
CSR NO. 13239

Transcript of Detective Moses Castillo

Conducted on June 5, 2018

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1 required to allow them to make phone calls, and if one of  
2 those phone calls is to a parent, so be it, but it's not  
3 an automatic stop and cease any questioning unless the  
4 juvenile -- if the officer asked a clarifying question as  
5 to why he wanted to speak to his parents, if it was for  
6 any issue of whether or not he was going to waive or  
7 speak to -- wanting to speak to the officer, then at that  
8 point it would be beneficial to allow them to speak to  
9 the parent. But if it was just I want to let them know  
10 I'm here, then there's no requirement for them to do so.

11 Q Okay. During the course of a custodial  
12 interrogation involving a juvenile, when a juvenile asks  
13 the detective for their parent, the detective is required  
14 to ask them why, correct, so they can ascertain whether  
15 it's something that may pertain to the waiver or  
16 understanding of their Miranda rights or not; correct?

17 MR. GILBERT: Overbroad. Vague. Vague as to  
18 time.

19 BY MR. OWENS:

20 Q Vague as to time. Hold on. So you understand  
21 that all of the questions that I'm asking you about  
22 pertain to the policies and practices that prevailed in  
23 2012 and 2013; correct?

24 A Yes.

25 Q And you understand that I'm not asking you

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1 about the policies and practices of the department  
2 currently; right?

3 A Yes.

4 Q Okay.

5 MR. OWENS: Do you mind reading back the  
6 question I asked before that.

7 (The record was read by the reporter.)

8 BY MR. OWENS:

9 Q Can you answer that question?

10 A Yes. So it is required that we ascertain as to  
11 the intent of why they want to speak to their parents.

12 Q Right. Questioning has to cease until you  
13 ascertain why the juvenile asked to speak with their  
14 parent; correct?

15 A Once -- yeah, once he asked that question, the  
16 officer should ask the clarifying question as to the why.  
17 He's not really ceasing, and if the answer says -- it has  
18 nothing to do with the waiver, then we could continue.  
19 If it's a matter of I just want to let them know I'm  
20 here, then we continue. So to that extent, that's my  
21 response.

22 Q But the questioning shall cease until the  
23 reason for the juvenile's request is ascertained;  
24 correct?

25 A Yes.

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1 Q That's the policy?  
2 A Yes.  
3 Q And you agree with me that in 2012 LAPD  
4 officers were required to follow the manual of juvenile  
5 procedures; correct?

6 A Well, you're showing me a document that I'm  
7 assuming that's --

8 Q Is there a manual of juvenile procedures for  
9 the Los Angeles Police Department?

10 A Yes, yes, there is.

11 Q Did you review it for your deposition today?

12 A I read portions of it, but not the entirety,  
13 but yes.

14 MS. COLEMAN: I think he was asking about the  
15 date of the document.

16 THE WITNESS: I'm just putting it for the  
17 record that he's showing me -- yeah.

18 BY MR. OWENS:

19 Q Sure. I am holding two copies of it, one of  
20 which I'll show to you in a moment, and one of which I've  
21 got for myself right now. Okay?

22 A Yes.

23 Q Right?

24 A Perfect.

25 Q All right. Regardless of -- there is a manual

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1 of juvenile procedures; correct?

2 A Yes.

3 Q Los Angeles Police Department detectives were  
4 required to follow the manual of juvenile procedures;  
5 correct?

6 A Yes.

7 Q They're supposed to understand what this  
8 document says; correct?

9 A Yes.

10 Q And they're expected to implement this manual  
11 in the course of their interrogations; correct?

12 A Yes.

13 Q And this manual does require that questioning  
14 cease until the reason for the juvenile's request for a  
15 parent, probation officer, teacher, minister is  
16 ascertained; correct?

17 MS. COLEMAN: Asked and answered.

18 THE WITNESS: Yes. That's what I -- the word  
19 "cease" is where I'm getting at because we are pausing to  
20 get that answer, and if it's answered in a way where we  
21 could continue, then we continue.

22 So there was a temporary pause, if you would.  
23 It wasn't ceased is what I'm trying to get at,  
24 especially, like, let's say right now we paused, but we  
25 didn't cease questioning; right? I mean --